

TOP SECRET SENSITIVE

EXCLUSIVE EYES ONLY

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T O P S E C R E T 010003Z OCT 72 SENSITIVE EXCLUSIVELY EYES
ONLY VIA BUNKER CHANNELS
FROM: HENRY A. KISSINGER
TO : AMBASSADOR BUNKER
CITE: WHS2309

FLASH
FLASH

OCTOBER 31, 1972

TO : AMBASSADOR BUNKER FLASH

FROM: HENRY A. KISSINGER

ON-FILE NSC RELEASE
INSTRUCTIONS APPLY

REF : USDEL FRANCE 20776

1. THANK YOU FOR YOUR SAIGON 0640. WE HAVE JUST RECEIVED AND ARE HIGHLY DISTURBED BY USDEL FRANCE 20776, GIVING RELEVANT PASSAGES OF GVN DELEGATION'S DRAFT STATEMENT FOR THE NOVEMBER 2 PLENARY WHICH OBJECT TO THE POLITICAL PROVISIONS OF THE DRAFT AGREEMENT. YOU SHOULD SEEK AN IMMEDIATE APPOINTMENT WITH THIEU IN ORDER TO GET PHONG'S INSTRUCTIONS CHANGED. GIVEN THE IMMINENCE OF THE PLENARY SESSION YOU SHOULD NOT ACCEPT ANY DELAY IN THE APPOINTMENT. YOU SHOULD POINT OUT FORCEFULLY THAT THE PROPOSED PRESENTATION BY PHONG COULD HAVE THE MOST SERIOUS CONSEQUENCES. THE ALLEGATIONS THAT THE DRAFT AGREEMENT PROVIDES FOR A COALITION GOVERNMENT AND REPRESENTS NO CHANGE IN THE OTHER SIDE'S POLITICAL POSITION WOULD BE BOTH COMPLETELY INACCURATE AND HIGHLY DAMAGING TO MUTUAL US/GVN OBJECTIVES. PHONG'S PRESENTATION IN EFFECT TAKES THE DRAFT AGREEMENT WHICH THE PRESIDENT HAS PUT HIMSELF BEHIND AND TREATS IT LIKE A HANOI PROPOSAL. FIRST OF ALL, AS THE PRESIDENT STATED IN HIS LETTER TO THIEU, AND YOU AND I HAVE REPEATED ENDLESSLY, THE COUNCIL REPRESENTS A FACE-SAVING DEVICE TO COVER THE COLLAPSE OF THE OTHER SIDE'S POLITICAL POSITION AND HAS NO GOVERNMENTAL AUTHORITY. TO EQUATE IT WITH PREVIOUS COMMUNIST PROPOSALS IS INCOMPREHENSIBLE AND SELF-DEFEATING. AMERICAN AND FOREIGN COMMENTARY HAVE SEEN THE COUNCIL FOR WHAT IT IS, AND ONLY THE GVN SEEMS TO PERSIST IN TREATING IT AS A COALITION GOVERNMENT. SECONDLY, AS INDICATED, THIS IS AN AREA WHERE WE WILL TRY TO GAIN IMPROVEMENTS IN THE NEXT ROUND, BUT PHONG'S PRESENTATION WOULD COMPLETELY UNDERCUT OUR EFFORTS. THIRDLY, PHONG'S PRESENTATION COULD ONLY BE INTERPRETED AS AN ATTACK ON US AS WELL AS THE AGREEMENT AND WOULD THREATEN AN OPEN RUPTURE IN US/GVN RELATIONS. THEREFORE, YOU SHOULD PRESS THIEU TO CHANGE PHONG'S INSTRUCTIONS SO THAT HE REFRAINS FROM ATTACKING THE DRAFT AGREEMENT. AS THE MINIMUM HE MUST NOT USE THE INACCURATE AND DANGEROUS PRESENTATION CONTAINED IN REFTL. IF HE DOES WE CANNOT BE RESPONSIBLE FOR THE CONSEQUENCES. IF NECESSARY TO ACCOMPLISH YOUR MISSION, YOU ARE AUTHORIZED TO INVOKE THE PRESIDENT PERSONALLY AS BEING BEHIND THESE INSTRUCTIONS. YOU WILL BE RECEIVING SIMILAR, IF LESS FORCEFULLY EXPRESSED, INSTRUCTIONS IN REGULAR STATE CHANNELS.

FACT THAT WE HAVE SELECTIVELY PROVIDED LOS ANGELES TIMES, NEW YORK TIMES AND CBS INFORMATION ON THE ISSUE OF NORTH VIETNAMESE TROOPS IN THE SOUTH. WE HAVE YET TO HEAR FROM HANOI ON THE NEXT MEETING BUT THIS MORNING'S BROADCAST FROM RADIO HANOI STRIKES US AS BEING RATHER PLAINTIVE AND PRESAGING ULTIMATE AGREEMENT ON THEIR PART FOR ANOTHER ROUND, THOUGH NOT IN OUR VIEW BEFORE THE END OF NEXT WEEK. YOU SHOULD IMPRESS ON THIEU THAT AT THIS ROUND WE WILL ASK FOR:

A. IMPROVED LANGUAGE WITH RESPECT TO THE NCNRC, AT LEAST TO THE DEGREE THAT IT IS PATENTLY EVIDENT THAT WE ARE NOT TALKING ABOUT A COALITION GOVERNMENT.

B. ELIMINATION OF THE INADVERTENT REFERENCE TO THE THREE COUNTRIES OF INDOCHINA.

C. THE DE FACTO REMOVAL OF SOME NORTH VIETNAMESE TROOPS FROM THE SOUTH. THIEU SHOULD NOT KID HIMSELF THAT WE HAVE ANY HOPE OF MORE THAN A TOKEN WITHDRAWAL OF PERHAPS TWO OR THREE DIVISIONS FROM MR-1.

D. SOME REFERENCE TO ARTICLE 24 OF THE 1954 CESSATION OF HOSTILITIES.

3. IN THE CONTEXT OF THE DEVELOPING SITUATION, THIEU AND HIS SPOKESMEN MUST STOP THEIR ATTACKS ON THE UNITED STATES, AND ON ME AS WELL. AT THE SAME TIME, HE CAN CONTINUE TO MAINTAIN A TOUGH POSITION WHICH WE CAN USE VIS-A-VIS HANOI IN THE NEXT ROUND. OBVIOUSLY, WE WILL NOT MEET ON NOVEMBER 1. WE PROBABLY WILL FOLLOW A SCHEDULE WHICH WOULD BRING ME TO PARIS SOMETIME AROUND NOVEMBER 9. WHILE WE INTEND TO MAKE MAJOR PROGRESS IN PARIS, WE WOULD VISUALIZE NO FINAL SIGNATURE FOR A COUPLE OF WEEKS THEREAFTER. YOU MIGHT WISH TO AGAIN REMIND THIEU THAT WE WOULD WELCOME NHA'S PRESENCE IN PARIS AT THE TIME OF THE NEXT ROUND SO THAT HE CAN KEEP THIEU ABREAST OF THE TALKS AT THE END OF EACH DAILY SESSION.

4. FROM YOUR PRESPECTIVE, YOU SHOULD CONTINUE TO WORK ON THIEU, ALLOWING HIM TO STAY TOUGH IN HIS GENERAL POSTURE BUT, ABOVE ALL, TRYING TO GET HIM TO DROP ATTACKS AGAINST THE UNITED STATES AND ME. HE MUST STOP SCORING DEBATING POINTS. YOUR OVERALL OBJECTIVE, OF COURSE, IS HOPEFULLY TO PREPARE HIM TO CONCUR IN THE AGREEMENT AFTER THE NEXT PARIS ROUND IN THE LIGHT OF THE CONCESSIONS WHICH WE WILL PRESS FOR AS OUTLINED ABOVE.

WARM REGARDS.

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